IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2661 of 2007()

CRMP.1957/2007 of J.M.F.C.-I,PATHANAMTHITTA

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(AGAINST CRIME NO.196/2007 OF ARANMULA POLICE STATION)

PETITIONER/ACCUSED:

MURALI, S/O. KUNJUKUNJU,
KOCHUKULATHIL VEEDU, PANNIVELI CHIRA,
ONTHEKEDU MURI, MALLAPPUZHASSERY.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS: COMPLAINANT/STATE:

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1. **STATE OF KERALA,**
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. **SUB INSPECTOR OF POLICE,**
   ARANMULA POLICE STATION, PATHANAMTHITTA DISTRICT.

BY PUBLIC PROSECUTOR SRI. P.A. SALIM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

B.A.No. 2661 of 2007

ORDER

This is an application for regular bail filed under Section 439 Cr.P.C.

2. The petitioner is the first accused in Crime No.196/07 of Aranmula Police station, registered for offences under Sections 8(1) and (2) of the Abkari Act, consequent on detection of possession by him 9.5 litres of arrack on 8.4.2007. He was arrested on 8.4.2007 and is in custody thereafter. There is no case for the prosecution that the petitioner is a habitual offender. Considering the period of detention already undergone by the petitioner and the quantity of the contraband involved in the case, I am of the view that the petitioner can be enlarged on bail, imposing necessary conditions.

In the result, I grant bail to the petitioner on the following conditions:

(i) that the petitioner shall execute bail bond for Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of the Magistrate concerned;

(ii) that on release the petitioner shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iii) that in the event of violation of the above conditions, the learned Magistrate, on being satisfied of the violation, shall be entitled to treat the bail as cancelled and to proceed against the petitioner and his sureties, according to law.

4th May, 2007 (K.P.Balachandran, Judge)

tkv